

REMARKS

Claims 1 and 3-33 are currently pending in the subject application and are presently under consideration. Claims 1, 20, 24, 28 and 29 have been amended as shown on pp. 2-6 of the Reply and claim 2 has been cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 5-7, 9-10, 20, 23-25, and 27-29 Under 35 U.S.C. §102(e)

Claims 1, 5-7, 9-10, 20, 23-25 and 27-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by Spriggs *et al.* (US 6,421,571). It is respectfully requested that this rejection be withdrawn for at least the following reason. Spriggs *et al.* fails to disclose or suggest each and every element recited in the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “***each and every element*** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The claimed subject matter relates to a system that automates security in an industrial control environment. The subject invention can automatically create security profiles for industrial automation devices in the environment, and enforce these profiles with respect to accessing entities. The profiles may define different levels of access for the accessing entities; to this end, independent claim 1 (and similarly independent claims 28 and 29) recites *an access component that defines a security attribute associated with the industrial automation device, the security attribute including a location attribute*. Spriggs *et al.* fails to disclose or suggest such claimed aspects.

Spriggs *et al.* discloses a system for managing certain portions of machinery, which is accomplished by creating a common interface for management and configuration of machinery. A common storage area is also provided. However, Spriggs *et al.* is silent regarding *an access component that defines a security attribute associated with the industrial automation device, the security attribute including a location attribute*, as claimed.

In view of at least the foregoing, it is readily apparent that Spriggs *et al.* fails to disclose or suggest each and every element recited in the subject claims. Therefore, the rejection of claims 1, 20, 24, 28 and 29 (and associated dependent claims 5-7, 9-10, 23, 25 and 27) should be withdrawn.

II. Rejection of Claims 2-4, 11-19, 21-22, 26, and 30-33 Under 35 U.S.C. §103(a)

Claims 2-4, 11-19, 21-22, 26, and 30-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Spriggs *et al.* in view of Le Saint (US 2004/0034774). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Spriggs *et al.* and Le Saint, when taken alone or in combination, fail to teach or suggest all elements recited in the subject claims. In particular, Le Saint fails to make up for the aforementioned deficiencies with respect to claims 1, 20, 24, and 29, from which claims 3-4, 11-19, 21-22, 26, and 30-33 depend. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

III. Rejection of Claim 8 Under 35 U.S.C. §103(a)

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Spriggs *et al.* It is requested that this rejection be withdrawn for at least the following reason. Spriggs *et al.* has been shown deficient with respect to rejection of claim 1, from which claim 8 depends. Therefore, this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP303USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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